

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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JULIE RICH,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 15-1329V

Special Master Christian J. Moran

Filed: April 12, 2017

Attorneys' fees and costs; award in  
the amount to which respondent  
has not objected.

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Diana L. Stadelnikas, Maglio, Christopher, and Toale, PA, Sarasota, FL, for  
Petitioner;

Amy P. Kokot, U.S. Dep't of Justice, Washington, DC, for Respondent.

### **UNPUBLISHED DECISION ON FEES AND COSTS**<sup>1</sup>

Petitioner, Julie Rich, filed an unopposed application for final attorneys' fees and costs in the above-captioned matter on April 12, 2017. Ms. Rich requests reimbursement for her attorney in the amount of **\$19,710.60**. The Court awards this amount.

Ms. Rich filed a petition for compensation on November 5, 2015, alleging that she was injured by the influenza vaccine which she received on October 30, 2013. Petitioner received compensation based upon the parties' stipulation. Decision, 2017 WL 945907 (Feb. 13, 2017). Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

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<sup>1</sup> The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Petitioner seeks a total of **\$19,710.60**, in attorneys' fees and costs for her counsel. Petitioner states that she did not personally incur any costs in pursuit of her claim pursuant to General Order No. 9. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

**A lump sum of \$19,710.60, in the form of a check made payable to petitioner and petitioner's attorney, Diana L. Stadelnikas, of Maglio Christopher and Toale, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.<sup>2</sup>

**IT IS SO ORDERED.**

S/Christian J. Moran  
Christian J. Moran  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.